

## Community resources

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*courage is contagious*

## Viewing cable 08KUALALUMPUR355, UNPRECEDENTED SEDITION CHARGES AGAINST BLOGGER

If you are new to these pages, please read an introduction on the [structure of a cable](#) as well as how to [discuss them](#) with others. See also the [FAQs](#)

### Understanding cables

Every cable message consists of three parts:

- The top box shows each cables unique reference number, when and by whom it originally was sent, and what its initial classification was.
- The middle box contains the header information that is associated with the cable. It includes information about the receiver(s) as well as a general subject.
- The bottom box presents the body of the cable. The opening can contain a more specific subject, references to other cables ([browse by origin](#) to find them) or additional comment. This is followed by the main contents of the cable: a summary, a collection of specific topics and a comment section.

To understand the justification used for the classification of each cable, please use this [WikiSource](#) article as reference.

### Discussing cables

If you find meaningful or important information in a cable, please link directly to its unique reference number. Linking to a specific paragraph in the body of a cable is also possible by copying the appropriate link (to be found at the paragraph symbol). Please mark messages for social networking services like Twitter with the hash tags **#cablegate** and a hash containing the reference ID e.g.

**#08KUALALUMPUR355.**

Reference ID	Created	Released	Classification	Origin
<a href="#">08KUALALUMPUR355</a>	<a href="#">2008-05-08 08:32</a>	<a href="#">2011-08-30 01:44</a>	<a href="#">CONFIDENTIAL</a>	<a href="#">Embassy Kuala Lumpur</a>

Appears in these articles:

<http://malaysia-today.net/mtcolumns/41991-wikileaks-unprecedented-sedition-charges-against-blogger->

VZCZCXRO8282  
PP RUEHCHI RUEHDT RUEHHM RUEHNH  
DE RUEHKL #0355/01 1290832  
ZNY CCCCC ZZH  
P 080832Z MAY 08  
FM AMEMBASSY KUALA LUMPUR  
TO RUEHC/SECSTATE WASHDC PRIORITY 0937  
INFO RUCNASE/ASEAN MEMBER COLLECTIVE  
RHEHNSC/NSC WASHDC  
RHHMUNA/USCINCPAC HONOLULU HI

C O N F I D E N T I A L SECTION 01 OF 02 KUALA LUMPUR 000355

SIPDIS

FOR EAP/MTS AND DRL - JANE KIM

E.O. 12958: DECL: 05/18/2018

TAGS: [PGOV](#) [PHUM](#) [PINR](#) [KDEM](#) [KPAO](#) [MY](#)

SUBJECT: UNPRECEDENTED SEDITION CHARGES AGAINST BLOGGER

REF: A. A) KL 130 - PRESS STIFLED IN ALTANTUYA TRIAL

[1](#)B. B) KL 73 - PROSECUTOR DOWNBEAT ON ALTANTUYA CASE

[1](#)C. C) 2007 KL 291 )RAZAK BAGINDA CASE

¶1. (C) Summary. For the first time, Malaysian authorities have resorted to a colonial-era law to bring sedition charges against a blogger and the author of a comment on an internet web site. Blogger and veteran anti-government activist Raja Petra Kamaruddin touched a sensitive nerve in implying that DPM Najib Tun Razak and his wife were connected to 2006 murder of a young Mongolian interpreter, Altantuya Shaaribuu (reftels). He also accused PM Abdullah of holding on to evidence that implicates his deputy to &keep Najib in line.<sup>8</sup> Visiting EAP DAS Marciel raised the issue with Deputy Home Minister Wan Farid on May 6, and Wan Farid indicated the proceedings against Raja Petra should be a warning to other bloggers. The Raja Petra case will continue to keep public focus on the Altantuya case and allegations of Najib's involvement. Prosecuting a blogger for sedition also complicates Prime Minister Abdullah's efforts to be seen as a reformer. End summary.

#### Colonial-era Sedition Act utilized

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¶2. (SBU) On May 6 Malaysian Police charged blogger Raja Petra Kamaruddin and Syed Ali Akhbar, who posted a comment on Raja Petra's website, with sedition. This is the first time Section 4(1)(c) of the Sedition Act (enacted by British colonial authorities in 1948) has been used in response to material appearing on the internet. The Section reads, &Any person who prints, publishes, sells, offers for sale, distributes or reproduces any seditious publication<sup>8</sup> can be charged with sedition. If found guilty, Raja Petra and Syed Ali could be jailed for a maximum of three years and/or face a fine of up to USD1,600. Syed Ali was released on bail after pleading not guilty and the court fixed June 10 to hear submissions by the defense and prosecution on a preliminary objection raised by the defense, which claimed that the charge was groundless. Raja Petra initially refused to post bail and was remanded at the Sungai Buloh prison, but on May 8 he changed his stance and he was scheduled to be released on bail May 9. His trial is fixed for October 6-10.

¶3. (SBU) Another prominent blogger described Raja Petra's action to poloffs as a gambit to ~ only generate publicity for himself but also for his news portal Malaysia Today ([www.malaysia-today.net](http://www.malaysia-today.net)).<sup>8</sup> The local blogger community as a whole has reacted with outrage to what is seen as a threat to the free exchange of ideas on the internet. The Malaysian Bar Council called on the authorities to withdraw the charges against Raja Petra and Syed Ali, describing the relevant section of the Sedition Act as &a draconian, archaic and repressive legislation that has long outlived any perceived utility it might ever have had.<sup>8</sup> A number of prominent civil society groups issued a statement characterizing Raja Petra's arrest as &politically motivated and aimed at silencing principled and uncompromising voice speaking against the abuse of power, including those stemming from the highest level of government and authority.<sup>8</sup>

¶4. (C) DPM Najib publicly denied that the arrests were politically motivated or an indication of government intentions to crack down on internet sites. Visiting EAP DAS Scot Marciel raised the case with Deputy Home Minister Wan Farid on May 6 and questioned why the government was using sedition charges in such a case. Wan Farid said bloggers could not be allowed to accuse people of murder and not back up such claims. "You can't just (post) anything on the internet," and not expect consequences, indicating this was a warning to other bloggers. The government would proceed with the case in court, Wan Farid said.

Raja Petra ) a thorn in UMNO,s side

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¶5. (SBU) Raja Petra was charged after posting an article on his website on April 25 entitled &Let,s send the Altantuya

murderers to hell<sup>8</sup> that implied that DPM Najib Tun Razak and his wife Rosmah Mansor were connected to the 2006 murder of a young Mongolian interpreter, Altantuya Shaaribuu. He also accused PM Abdullah of holding on to evidence that implicates his deputy in order to &keep Najib in line.<sup>8</sup> Two police officers from the security detail of DPM Najib have been charged for killing Altantuya, while Abdul Razak Baginda, a close associate of DPM Najib, was charged with abetting the murder. The murder trial that began in June 2007 has been dragging along for nearly a year, giving rise to suggestions of deliberate delays for political reasons (Ref A ).

¶6. (SBU) This is not the first time Raja Petra, a cousin of the current Sultan of Selangor, has challenged the ruling establishment. He was one of the key leaders of the &reformasi movement<sup>8</sup> launched in September 1998 by former DPM Anwar. In 2000 he became the Director of the Free Anwar Campaign (FAC) and founded the &FAC website<sup>8</sup> that regularly posted articles criticizing the government. In 2001 he was detained under the Internal Security Act (ISA) and held for 52 days before being released unconditionally, reportedly due to pressure from his uncle the then King, the late Sultan of Selangor. In July 2007 he was detained, questioned and released after UMNO Information Chief Muhammad Muhammad Taib filed a police report against him for allegedly insulting the King and Islam.

¶7. (SBU) Raja Petra launched Malaysia Today in August 2004 &to test how far Malaysia under its new Prime Minister (PM Abdullah) can honor, respect and tolerate free speech." The blog grew to an average of 1.5 million hits a day and was voted one of the top ten websites by local internet users in ¶2007. One reporter describes it as Malaysia,s answer to the U.S. &Drudge Report,<sup>8</sup> a news aggregation site, &dedicated to entertaining tales of political intrigue.<sup>8</sup> In meetings with poloffs, Raja Petra has nevertheless insisted that all of his reports are backed by &hard evidence.<sup>8</sup>

¶8. (SBU) UMNO leaders have blamed internet media and bloggers, in particular Raja Petra, as contributing to the BN,s setback in the March election. Raja Petra agreed, telling reporters on May 6, &They lost in the election because of the internet war. Malaysia Today was one of the 'culprits'.<sup>8</sup> He added that his defense team would prove there was no case against him and that it was a matter of &political persecution<sup>8</sup>. One sympathetic academic described the action against Raja Petra as &the return to sledgehammer rule by UMNO,.<sup>8</sup> but added recalcitrant bloggers like Raja Petra threaten UMNO,s survival, because the ruling party has failed to find a formula for countering its internet critics.

Syed Akhbar Ali: &Easy to Impress the Malays<sup>8</sup>

¶9. (SBU) In Syed Akhbar Ali,s case, the author was belatedly charged for posting a comment in June 2007 on a Raja Petra authored Malaysia Today piece alleging strong links between Inspector General of Police Musa Hassan and a major organized crime syndicate. Raja Petra had written that the syndicate protected by the IGP was involved in &prostitution, drugs, and illegal gambling.<sup>8</sup> In his comment, titled &Easy to Impress the Malays,<sup>8</sup> Akhbar used crude language in maintaining that massage centers are mushrooming in the city due to the sudden increase in Arab visitors, and in a similar vein went on to make some scurrilous comments about the Arabs and Islam, and the naivety of Malays in accepting Arab ideas.

Comment

¶10. (C) In another indication of the growing influence of internet media, both DPM Najib and his wife have been compelled to go public in responding to Raja Petra,s report, maintaining that the allegations are &unfounded and unfair.<sup>8</sup> The Raja Petra case will continue to keep public attention on the Altantuya murder and on allegations of Najib's involvement in the crime at a time when Prime Minister Abdullah has announced Najib as his eventual

successor. Prosecuting a blogger for sedition complicates Prime Minister Abdullah's efforts to be seen as a reformer and will further boost the profile of Malaysia's anti-government internet activists.

KEITH